

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

SUBPOENAS TO PRODUCE
DOCUMENTS, INFORMATION, OR
OBJECTS TO MUDDY WATERS
CAPITAL LLC, MLAF LP, AND SS&C
TECHNOLOGIES, INC.

Case No. 18-mc-80175-TSH

ORDER TRANSFERRING CASE

Re: Dkt. No. 1

Pending before the Court is a motion by Muddy Waters Capital LLC, MLAF LP and SS&C Technologies (together, “Muddy Waters”) to quash three subpoenas, or in the alternative to transfer the motion to the issuing court. The subpoenas were served by Steven Sugarman, a defendant in the underlying case *In re Banc of California Securities Litigation*, No. 17-cv-00118 (C.D. Cal.). The parties have submitted lengthy and factually complex briefs on the motion arguing about the relevance of the requested documents, including arguments about what the Central District of California has and has not held in orders in the underlying case. It is clear that the Central District of California, the court that issued these subpoenas, is in a far better position to assess the parties’ arguments concerning relevance and proportionality.

Federal Rule of Civil Procedure 45(f) states that “[w]hen the court where compliance is required did not issue the subpoena, it may transfer a motion under this rule to the issuing court if the person subject to the subpoena consents or if the court finds exceptional circumstances.” Muddy Waters consented. ECF No. 11 at 6 (“Movants consented to such a transfer in their opening brief, and do so again” in their reply.) Accordingly, it is **ORDERED** that this case is **TRANSFERRED** to the United States District Court for the Central District of California.

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IT IS SO ORDERED.

Dated: October 29, 2018


THOMAS S. HIXSON
United States Magistrate Judge